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10 UNITED STATES OF AMERICA,
11 v. Plaintiff,
12 JOSEPH WILLIS, JR.,
13 Defendant.

No. CR-08-0884 MMC

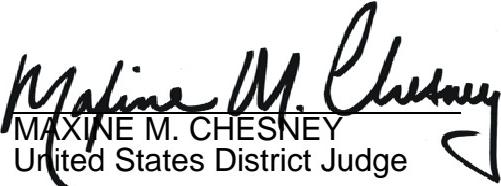
**ORDER DEEMING AS SUBMITTED
DEFENDANT'S MOTION UNDER 28
U.S.C. § 2255**

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15 Before the Court is defendant Joseph Willis, Jr.'s "Motion Under 28 U.S.C. § 2255 to
16 Vacate, Set Aside or Correct Sentence by a Person in Federal Custody," filed December
17 20, 2010. The government has filed opposition. Defendant has not filed a reply.

18 In its order filed February 2, 2011, the Court advised the parties that, after briefing
19 on the motion was complete, the Court would determine whether a hearing on the above-
20 referenced motion would be necessary. Having read and considered the papers filed in
21 support of and in opposition to the motion, the Court finds oral argument is not necessary,
22 and, accordingly, deems the matter submitted on the parties' respective written
23 submissions.¹

24 **IT IS SO ORDERED.**

25 Dated: June 8, 2011


MAXINE M. CHESNEY
United States District Judge

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28 ¹In the event the Court finds an evidentiary hearing is required to resolve any
material issue of fact, the Court will schedule a status conference.